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## **MEMORANDUM**

Date: December 15, 2021

To: Nursing Facilities  
Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IIDs)  
Adult Assisted Housing Providers

Re: Revisions to facility outbreak testing

### **Purpose**

This memorandum revises the September 24, 2021, facility COVID-19 testing guidance to reflect current federal and state requirements, as well as pandemic-related constraints on state and facility resources in Maine. Among the changes outlined below is a limitation on the facility submission of COVID-19 samples to the Maine CDC Health and Environmental Testing Lab (HETL) to facilities with a Maine CDC-defined outbreak, effective December 20, 2021.

### **Applicability**

This guidance applies to facilities that have been subject to COVID-19 surveillance testing in Maine, referred to as "Group A." These facilities include:

- Nursing Facilities
- ICF/IIDs
- Facilities designated as Alzheimer's/Dementia Care
- PNMI/Residential Care Facilities/Assisted Living Facilities that are part of Multi-Level Complexes with Nursing Facilities; and
- PNMI Appendix C Facilities (for Adults with High Functional/Medical Needs).

### **Federal CMS Guidance QSO-20-38-NH revised 9/10/21**

On September 10, 2021, CMS released revised guidance for nursing home facility testing. That guidance allows a facility to utilize the results of contact tracing within the facility in lieu of a facility-wide universal testing approach when a staff or resident has received a positive COVID-19 test result.

Exercising this option enables the facility to pinpoint exposed persons, target testing only to those who are at greatest risk and expedite receipt of test results. The guidance recognizes that the quickest way to address a COVID-19 positive case in a facility is by conducting immediate contact tracing and utilizing antigen testing devices for those identified as close contacts.

Consistent with previous guidance, facilities should notify the Maine CDC Epidemiology Team that they have identified a COVID-19 positive case and that they are either (1) conducting

contact tracing and limited antigen testing based on the contact tracing, or (2) implementing universal testing. The first approach may involve testing a specific unit within a facility when appropriate.

Effective December 20, 2021, the facility may not send samples to the Maine Health and Environmental Testing Laboratory (HETL) unless the facility has an open outbreak as determined by their Maine CDC Outbreak Investigator. The facility may use, for the universal testing that follows a single COVID-19 positive case, U.S. Food and Drug Administration (FDA) cleared, authorized, or approved rapid antigen testing, rapid molecular testing, or PCR testing via a private lab. Additionally, for the purposes described in this guidance, facilities may use any U.S. FDA cleared, authorized, or approved COVID-19 test, including an over-the-counter (home) test if staff administer, proctor, and read the results of such a test. Facilities may use existing funding to cover testing expenses, including the Long-Term Care Supplemental payments they have received to cover the costs of these tests or include the costs associated with MaineCare residents as part of its cost settlement process.

If a facility identifies 3 or more COVID-19 positive cases from the results of its initial testing, it must update the Maine CDC Epidemiology Team and follow its guidance and may submit samples to HETL as is currently permitted.